

1 PAUL S. ROSENSTEIN (CA Bar No. 79647)  
2 [psrlaw@flash.net](mailto:psrlaw@flash.net)  
3 55 Santa Clara Avenue, Suite 250  
4 Oakland, CA 94610-1375  
5 Tel. 510-465-5782 // Fax 510-452-4881

6 Attorney for Use Plaintiff  
7 ROOFING CONSTRUCTORS, INC.,  
8 dba WESTERN ROOFING SERVICE

9 JOHN W. RALLS (CA Bar No. 148233)  
10 [jralls@thelen.com](mailto:jralls@thelen.com)

11 JOHN A. FOUST (CA Bar No. 218824)  
12 [jfoust@thelen.com](mailto:jfoust@thelen.com)

13 JOANNA ROSEN (CA Bar No. 244943)  
14 [jrosen@thelen.com](mailto:jrosen@thelen.com)

15 THELEN REID BROWN RAYSMAN & STEINER LLP  
16 101 Second Street, Suite 1800  
17 San Francisco, CA 94105  
18 Tel. 415-371-1200 // Fax 415-371-1211

19 Attorneys for Defendants

20 DICK/MORGANTI, DICK CORPORATION, THE MORGANTI GROUP,  
21 AMERICAN CASUALTY COMPANY OF READING, PA,  
22 NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA and  
23 CONTINENTAL CASUALTY COMPANY

24 UNITED STATES DISTRICT COURT

25 NORTHERN DISTRICT OF CALIFORNIA---SAN FRANCISCO DIVISION

26 UNITED STATES, for the Use of ROOFING  
27 CONSTRUCTORS, INC., a California Corporation,  
28 doing business as WESTERN ROOFING  
SERVICE,

Plaintiffs,

vs.

DICK/MORGANTI/NIBBI, a joint venture, DICK  
CORPORATION; MORGANTI TEXAS, INC.,  
NIBBI BROS., INC.; AMERICAN CASUALTY  
COMPANY OF READING, PA, CONTINENTAL  
CASUALTY COMPANY; NATIONAL UNION  
FIRE INSURANCE COMPANY OF  
PITTSBURGH, PA,

Defendants.

Case No.: 08-CV-02286 JL

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING CASE  
SCHEDULE, CASE  
MANAGEMENT CONFERENCE  
AND ADR DEADLINES**

1 The parties, Use Plaintiff Roofing Constructors, Inc., a California Corporation, doing  
 2 business as Western Roofing Service, on the one hand, and Defendants Dick/Morganti/Nibbi, a  
 3 Joint Venture; Dick Corporation; Morganti Texas, Inc.; Nibbi Bros., Inc.; American Casualty  
 4 Company of Reading, Pennsylvania; Continental Casualty Company; National Union Fire  
 5 Insurance Company of Pittsburgh, PA, on the other, hereby stipulate and agree as follows:

6 This case arises out of the construction of the San Francisco Federal Building. Since the  
 7 date the complaint was filed, the parties have discussed how to resolve the issues between them  
 8 arising out of the Project, and these discussions continue. Certain issues require a review and  
 9 investigation, which review and investigation is underway. Under the circumstances, the parties  
 10 desire to continue the various case management deadlines that have been established by 60 days.

11 In particular, the parties stipulate and agree that the following case schedule should be  
 12 established:

- 13 ➤ Deadline for defendants' response to complaint: September 12, 2008
- 14 ➤ Last day to meet and confer re initial disclosure, early settlement, ADR process  
 15 selection, and discovery plan and to file joint ADR certification with stipulation to  
 16 ADR process or notice of need for ADR phone conference: September 12, 2008
- 17 ➤ Last day to file Rule 26(f) report, complete initial disclosures or state objection in  
 18 Rule 26(f) report and file case management statement per Standing Order re  
 19 Contents of Joint Case Management Statement: September 26, 2008.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

- Initial Case Management Conference: On or about October 08, 2008, on a date to be set by the Court.

Dated: July 14, 2008

PAUL S. ROSENSTEIN

/s/

By:

Paul S. Rosenstein  
Attorney for ROOFING CONSTRUCTORS, INC.,  
dba WESTERN ROOFING SERVICE

Dated: July 14, 2008

THELEN REID BROWN RAYSMAN & STEINER LLP

/s/

By

John W. Ralls  
Attorneys for DICK/MORGANTI/NIBBI,  
DICK CORPORATION, MORGANTI TEXAS,  
INC., NIBBI BROS., INC., AMERICAN  
CASUALTY COMPANY OF READING, PA,  
CONTINENTAL CASUALTY COMPANY and  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA

**ORDER**

The Court, having reviewed the foregoing stipulation, and good cause appearing for the time extensions reflected therein, hereby approves the revisions to the case management deadlines and sets the initial case management conference (previously scheduled for August 6, 2008) for \_\_\_\_\_, 2008 in Courtroom F, 15<sup>th</sup> Floor, San Francisco at \_\_\_\_\_.

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2008

James Larson  
Chief Magistrate Judge